

**First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 05-0108.01 Julie Pelegrin

HOUSE BILL 05-1026

HOUSE SPONSORSHIP

King

SENATE SPONSORSHIP

Windels

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING EDUCATOR LICENSURE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Endorsement in special education. Rather than requiring an applicant for a license endorsement in special education to complete a program in special education, requires the applicant to complete the course work and assessments identified by rule of the state board of education ("state board").

Complaint procedure. Authorizes the state board to adopt rules to create a procedure for receiving complaints against persons applying for or holding educator licenses and certificates. Requires the rules to include procedures for investigation and for granting notice and a hearing

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

if the department of education ("department") determines there is probable cause to proceed with a formal charge.

License renewal. Requires an applicant for educator license renewal to submit a complete set of fingerprints with the renewal application, unless the applicant has previously submitted a set. For purposes of professional development activities, authorizes the department to accept course work from any community, technical, or junior college, not just those in the statewide system. Requires a license holder to demonstrate that any educational travel he or she submits as a professional development activity is related to the license holder's endorsement area. Clarifies the professional development goal pertaining to use of assessments. Authorizes the state board to adopt rules requiring professional development activities to be related to the license holder's endorsement area knowledge or delivery skills in the license holder's endorsement area or in literacy.

Return to active license status after active military duty. With regard to a person who converts his or her professional educator license to inactive status because he or she is called into active military duty, instructs the department, when reactivating the license, to reactivate it for a period equal to the time remaining on the license when converted to inactive status plus the time the person spent in active military duty.

Authorizations. Makes a temporary teacher eligibility authorization valid for one year, and allows the department to renew the authorization twice. Expands the criteria for a temporary authorization to make it available to a person who is eligible to hold a certificate or license as an educator in another state.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 22-60.5-106 (2), Colorado Revised Statutes, is
3 amended to read:

4 **22-60.5-106. Endorsement of license - effect.**

5 (2) Notwithstanding the discretionary authority granted in subsection (1)
6 of this section, the department of education shall issue a special education
7 teacher endorsement to an applicant who ~~has completed~~ COMPLETES
8 COURSE WORK AND ASSESSMENTS, AS SPECIFIED BY RULE OF THE STATE
9 BOARD OF EDUCATION, IN a program in special education offered by an
10 accepted institution of higher education, which program has been

1 approved by the state board of education.

2 **SECTION 2.** 22-60.5-107, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SUBSECTION to read:

4 **22-60.5-107. Grounds for denying, annulling, suspending, or**
5 **revoking license, certificate, endorsement, or authorization.** (6) THE
6 STATE BOARD OF EDUCATION MAY PROMULGATE RULES TO ESTABLISH A
7 PROCEDURE BY WHICH AN AGGRIEVED PARTY OR A PARTY IN INTEREST
8 MAY FILE A COMPLAINT ALLEGING A VIOLATION OF CONDITIONS THAT, IF
9 FOUND TO BE TRUE AND FOUND TO BE SUBSTANTIAL OR CONTINUING, MAY
10 ESTABLISH THE GROUNDS FOR DENYING, ANNULING, REVOKING, OR
11 SUSPENDING AN EDUCATION LICENSE OR CERTIFICATE. AT A MINIMUM, THE
12 RULES SHALL INCLUDE PROCEDURES FOR INVESTIGATION OF ANY
13 COMPLAINTS THAT MAY BE FILED AND RULES TO ENSURE THE RIGHT OF
14 NOTICE AND HEARING IN ACCORDANCE WITH THE REQUIREMENTS OF THE
15 "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
16 C.R.S., IF THE DEPARTMENT DETERMINES THERE IS PROBABLE CAUSE TO
17 FILE A FORMAL CHARGE AGAINST THE LICENSE OR CERTIFICATE HOLDER OR
18 APPLICANT.

19 **SECTION 3.** 22-60.5-109.5 (2), Colorado Revised Statutes, is
20 amended to read:

21 **22-60.5-109.5. Inactive status of licenses.** (2) (a) A person may
22 return a professional license to active status at any time by notifying the
23 department of education in writing, either in person or by first-class mail,
24 and simultaneously requesting the return of his or her professional license
25 from the department of education. Upon receipt of notice to return to
26 active status, the department of education shall reissue the professional
27 license with a new expiration date reflecting the period remaining on the

1 professional license as of the date the license holder converted to inactive
2 professional license status. The department shall return the reissued
3 license to the license holder within thirty days after receiving notice to
4 return to active status. Upon receipt of the professional license, the
5 license holder shall resume active status.

6 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS
7 SUBSECTION (2), IF A PERSON CONVERTS HIS OR HER PROFESSIONAL
8 LICENSE TO INACTIVE STATUS BECAUSE THE PERSON IS CALLED INTO THE
9 ACTIVE MILITARY SERVICE OF THE UNITED STATES, WHEN THE PERSON
10 NOTIFIES THE DEPARTMENT OF EDUCATION OF HIS OR HER INTENT TO
11 RETURN THE PROFESSIONAL LICENSE TO ACTIVE STATUS, THE PERSON MAY
12 INCLUDE WITH THE NOTICE A COPY OF THE OFFICIAL NOTICE OF
13 HONORABLE DISCHARGE OR RELEASE FROM ACTIVE SERVICE. UPON
14 RECEIPT OF THE NOTICE TO RETURN TO ACTIVE STATUS AND THE EVIDENCE
15 OF HONORABLE DISCHARGE OR RELEASE, THE DEPARTMENT OF EDUCATION
16 SHALL REISSUE THE PROFESSIONAL LICENSE WITH A NEW EXPIRATION DATE
17 REFLECTING A PERIOD EQUAL TO THE PERIOD REMAINING ON THE
18 PROFESSIONAL LICENSE AS OF THE DATE THE LICENSE HOLDER CONVERTED
19 TO INACTIVE PROFESSIONAL LICENSE STATUS PLUS THE PERIOD DURING
20 WHICH THE PERSON WAS IN ACTIVE MILITARY SERVICE.

21 **SECTION 4.** The introductory portion to 22-60.5-110 (3) (b) and
22 22-60.5-110 (3) (c) (II), Colorado Revised Statutes, are amended, and the
23 said 22-60.5-110 (3) is further amended BY THE ADDITION OF THE
24 FOLLOWING NEW PARAGRAPHS, to read:

25 **22-60.5-110. Renewal of licenses.** (3) (b) A professional
26 licensee shall complete such ongoing professional development
27 within the period of time for which such professional license is valid.

1 Such professional development may include, but need not be limited to,
2 in-service education; college or university credit from an accepted
3 institution of higher education ~~an institution within the state system of~~
4 ~~Colorado community and technical colleges, or a Colorado local junior~~
5 ~~college~~ OR A COMMUNITY, TECHNICAL, OR JUNIOR COLLEGE; educational
6 travel THAT MEETS THE REQUIREMENTS SPECIFIED IN PARAGRAPH (d) OF
7 THIS SUBSECTION (3); involvement in school reform; internships; and
8 ongoing professional development training and experiences. The state
9 board of education, by rule and regulation, may establish minimum
10 criteria for professional development; except that such criteria shall not:

11 (b.5) IN ADOPTING MINIMUM CRITERIA FOR PROFESSIONAL
12 DEVELOPMENT ACTIVITIES, THE STATE BOARD, BY RULE, MAY REQUIRE ALL
13 OR A PORTION OF THE PROFESSIONAL DEVELOPMENT ACTIVITIES TO BE
14 RELATED TO INCREASING THE LICENSE HOLDER'S COMPETENCE IN HIS OR
15 HER EXISTING OR POTENTIAL ENDORSEMENT AREA OR TO INCREASING THE
16 PROFESSIONAL LICENSEE'S SKILLS AND COMPETENCE IN DELIVERY OF
17 INSTRUCTION IN HIS OR HER EXISTING OR POTENTIAL ENDORSEMENT AREA
18 OR IN THE TEACHING OF LITERACY.

19 (c) In selecting professional development activities for the
20 renewal of a professional license pursuant to this section, each licensee
21 shall choose those activities that will aid the licensee in meeting the
22 standards for a professional educator, including but not limited to the
23 following goals:

24 (II) Effective use ~~and appreciation~~ of assessments IN PLANNING
25 FOR INSTRUCTIONAL DELIVERY AND IN INDIVIDUALIZING STUDENT
26 INSTRUCTION;

27 (d) TO BE ACCEPTED AS A PROFESSIONAL DEVELOPMENT ACTIVITY,

1 EDUCATIONAL TRAVEL SHALL BE APPLICABLE TO THE ENDORSEMENT AREA
2 OF THE PROFESSIONAL LICENSEE'S LICENSE, AS DEMONSTRATED BY THE
3 PROFESSIONAL LICENSEE.

4

5 **SECTION 5.** 22-60.5-111 (5) (d) and (7) (a), Colorado Revised
6 Statutes, are amended to read:

7 **22-60.5-111. Authorization - types - applicants' qualifications.**

8 (5) **Temporary educator eligibility authorization.** (d) A temporary
9 educator eligibility authorization is valid for ~~three years and is not~~
10 ~~renewable~~ ONE YEAR AND MAY BE RENEWED TWICE.

11 (7) **Temporary authorization.** (a) A temporary authorization
12 authorizes a school district to employ a person who is certified or
13 licensed, OR IS ELIGIBLE FOR CERTIFICATION OR LICENSURE, as a teacher,
14 principal, or administrator in another state and who has not successfully
15 completed the assessment of professional competencies to obtain a
16 provisional license under section 22-60.5-201 (1) (b), 22-60.5-301 (1) (a),
17 or 22-60.5-306 (1) (a), but who meets the other requirements for a
18 provisional license specified in said sections. A temporary authorization
19 is valid for one year, and the department of education may renew the
20 authorization for one additional year. The employing school district may
21 include the period during which a person works under a temporary
22 authorization toward the three full years of continuous employment
23 necessary to cease being a probationary teacher pursuant to section
24 22-63-103 (7).

25 **SECTION 6. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.